IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 1737 of 2007(S)

CMP.887/2007 of J.M.F.C.,KASARAGOD

.....

(CRIME NO.65/2007 OF KASARAGOD POLICE STATION)

.....

PETITIONER/IST ACCUSED

SHYAM JUSTIN,S/O.KUNJUKUTTY,NEDUMGOTTU,
THAZHAMEL,ANCHAL P.O.

BY ADV. SRI.S.M.ALTHAF

RESPONDENT/COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTORSRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, ALONG WITH BA No. 1730/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. Nos. 1730 and 1737 OF 2007

Dated this the 13th day of April, 2007

O R D E R

The common petitioner in these two applications for regular bail is the common first accused in Crime No.719/06 of Kothamangalam Police Station for offences punishable under sections 364A and 386 read with section 34 IPC and Crime No.65/07 of Kasaragod Police Station for offences punishable under sections 364A and 120B read with section 34 IPC.

2. In Crime No.719/06, the allegation is that the petitioner along with the other accused had abducted an Ayurvedic Physician and took a ransom of Rs.3.5 lakhs and a mobile phone.

3. In Crime No.65/07, the case of the prosecution is that the petitioner herein along with other accused attempted to kidnap another doctor also for the purpose of ransom.

4. Learned Public Prosecutor opposed the applications.

5. In as much as the other common accused in the case have already been granted bail, I am inclined to grant bail to the petitioner but only with effect from a future date and on appropriate conditions safeguarding the interest of the prosecution as well. Accordingly, the petitioner, who is the first accused in Crime No.719/06 of

Kothamangalam Police Station, is directed to be released on bail on his executing a bond for Rs.15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kothamangalam and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

6. The petitioner, who is the first accused in Crime No.65/07 of Kasaragod Police Station, is directed to be released on bail on his executing a bond for Rs.15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Kasaragod and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Fridays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

These applications are allowed as above.

(V. RAMKUMAR, JUDGE)

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